

**TITLE 810. OKLAHOMA WORKERS' COMPENSATION COMMISSION
CHAPTER 10. PRACTICE AND PROCEDURE**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

810:10-1-3 [AMENDED]

810:10-1-4 [AMENDED]

810:10-1-7 [AMENDED]

810:10-1-10 [AMENDED]

810:10-1-14 [NEW]

Subchapter 3. Informal Dispute Resolution Process

810:10-3-3 [AMENDED]

Subchapter 5. Hearings Conducted by Administrative Law Judges and Commissioners

Part 1. Commencement of Claims

810:10-5-2 [AMENDED]

Part 3. Subsequent Pleadings

810:10-5-15 [AMENDED]

810:10-5-18 [AMENDED]

Part 5. Prehearing Proceedings

810:10-5-31 [AMENDED]

Part 7. Initial and Subsequent proceedings

810:10-5-45 [AMENDED]

Part 9. Post Order Relief

810:10-5-66 [AMENDED]

810:10-5-69 [NEW]

Part 11. Contempt

810:10-5-75 [AMENDED]

Part 15. Settlements

810:10-5-95 [AMENDED]

SUMMARY:

The proposed revisions to Subchapter 1 change the mandatory implementation date of the Commission's electronic data interchange (EDI) system to September 1, 2018; adopt the IAIBC Release 3.1 EDI standards; provide for the electronic filing of documents, cases and proceedings with the Commission; specify procedures for the designation of a treating physician under 85A O.S. §56(A); and modify the requirements for attorney leave requests. The proposed amendment to Subchapter 3 requires the Commission to notify injured workers of the counselor program and availability of alternative dispute resolution within ten days of the filing of the Employer's First Notice of Injury form.

The proposed revisions to Subchapter 5 specify procedures for the designation of a treating physician by an employer under 85A O.S. §56(A); require inclusion of the last five digits of a worker's Social Security number on claims for compensation forms; establish procedures for filing motions and written arguments in appeals; specify that reimbursement requests for travel expenses under 85A O.S. §50(G) must be paid within sixty days; establish a process to request a nunc pro tunc change to a Commission order; and clarify that joint petition settlements may be entered upon the filing of the Employer's First Notice of Injury in lieu of a claim for compensation or an electronically-submitted First Report of Injury (FROI). The proposed amendments include other nonsubstantive changes to correct grammatical and formatting errors.

RECEIVED

DEC 22 2017
17-928
SECRETARY

AUTHORITY:

Workers' Compensation Commission; 85A O.S. § 19.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2018, to Lindsey Christopher at 1915 N. Stiles, Oklahoma City, OK 73105, or by email to rules@wcc.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 1:30 p.m. on Tuesday, February 20, 2018 in Commission Chambers on the 2nd floor of the Denver N. Davison Building, 1915 N. Stiles Avenue, Oklahoma City, Oklahoma. Interested parties must sign in at the door.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Lindsey Christopher at the above address on or before February 15, 2018.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Workers' Compensation Commission, 1915 N. Stiles, Suite 231, Oklahoma City, OK 73105. Copies of proposed rules may be obtained at a cost of 10 cents per page. The proposed rules are also available at <http://www.ok.gov/wcc>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the Workers' Compensation Commission at the above address beginning January 31, 2018.

CONTACT PERSON:

Lindsey Christopher, Commission Counsel, 918-295-3731, lindsey.christopher@wcc.ok.gov.